

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES**

In re Patent Application of

Atty Dkt. 1430-272
C# M#

EDMEADES



C/A.U.

1743

Serial No. 09/940,422

Examiner: Soderquist

Filed: August 29, 2001

Date: February 28, 2005

Title: COMPOUND AND ITS USE

Corres. and Mail
BOX AF**Mail Stop AF**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$ 450.00

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

TOTAL FEE ENCLOSED \$ 450.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Arthur R. Crawford Reg. No. 25,327

Signature: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

EDMEADES

Atty. Ref.: 1430-272; Confirmation No. 5500

Appl. No. 09/940,422

TC/A.U. 1743

Filed: August 29, 2001

Examiner: Soderquist

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* * * * *

February 28, 2005

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO FINAL REJECTION

This is responsive to the Official Action dated September 28, 2004. Petition is hereby made for a two month extension of time for which our check in the appropriate amount is attached. The examiner will also note that on February 28, 2005 a Notice of Appeal was filed in order to allow ample time for the examiner to consider this response and act on it.

Claims 12, 14 and 15 remain active in the application and stand as presented in the Amendment and response of July 14, 2004.

The current Official Action, which has been made final, contains three prior art-based rejections in items 2, 4 and 5, together with additional commentary in item 6. Applicants again assert that their claims as presently worded define inventive subject matter worthy of a patent, subject matter that is neither identically described nor suggested by the disclosures of the prior art documents cited and applied in the current Official Action.

The examiner using the present specification has construed the term "comprising lamotrigine" as not being limited to the freebase – see item 6, third sentence. Applicants do not